

**Town of Sunset Beach
Monthly Council
Work Session & Regular Meeting
August 6, 2012**

MINUTES

Members Present: Mayor Richard Cerrato, Mayor Pro-Tem Lou DeVita, Councilwoman Karen Joseph, Councilwoman Carol Scott, Councilman Wilson Sherrill, and Councilman Mike Williams.

Members absent: None

Attorney & Staff Present: Gary Parker, Town Administrator; Mike Isenberg, Town Attorney; Kevin Dempsey, Fire Chief; Richard Childres, Assistant Fire Chief; Lisa Massey, Police Chief; Joe Smith, Detective; Sandy Wood, Building Inspector; Dustin Graham, Public Works Director; Donna Rogers, Finance Director and Lisa Anglin, Town Clerk.

**Work Session
6:45 pm**

Mayor Cerrato called the Work Session to order, called for agenda amendments, and general discussions by the Council.

Presentation of Certificate of Recognition to Boy Scouts Troop #201

Mayor Cerrato, the Council, Lisa Massey, Police Chief and Detective Joe Smith presented a Certificate of Recognition to Boy Scouts Troop #201 for their participation with the Memorial Day service.

Council Discussion

Agenda Packets

Councilwoman Scott requested the Clerk to increase the number of citizen agenda packets to 50.

County Pump Station Landscaping

The Council briefly discussed the pump station landscaping and reached a consensus to discuss the landscaping with County representatives at the next Sewer Meeting.

Metropolitan Planning Organization (MPO)

Mayor Cerrato advised that Tripp Sloane attended the monthly Mayor's meeting to give an update on the MPO and asked if the Council would like Mr. Sloane to attend the Work Session. The Council reminded Mayor Cerrato that Mayor Pro-Tem DeVita, Councilman Williams, Gary Parker and Sandy Wood were appointed by Council to attend the MPO meetings and Council has received updates from Mr. Parker.

Agenda Amendments

Gary Parker requested Council to remove Agenda item 6c – Adoption of Resolution Authorizing Waiver of Bid Procedure and Purchase of a Typhoon Custom 42 Pumper Fire Truck pursuant to NCGS 143-129(g). Councilman Williams requested to add the Acceptance of the Cape Side Community Street Lighting System to the August 21, 2012 Work Session agenda. Mayor Pro-Tem DeVita requested to add Agenda item 5f – Results of the Salary Ranges Comparison with the Peer Groups Salary Ranges.

Monthly Meeting
7:00 pm

Call to Order & Pledge of Allegiance

Mayor Cerrato called the monthly Meeting to order and the Pledge of Allegiance was recited.

Public Comments

Joe Santavicca 9109 Forest Drive – Requested that a Beach Patrol Report be included in the meeting packet with the other departmental reports.

Charles Nern 647 Oyster Bay Drive – Requested the Council not to repeat the lengthy discussion held during the Work Session on the Feeder Canal/Pier Head Alignment.

Jo O’Keefe 30 Gate 3 Carolina Shores – Informed the Council that Twin Lakes Restaurant patrons are using the parking spaces intended for the fishing pier patrons.

Nina Marable 502 North Shore Drive – Questioned the need for the feeder canal/pier head alignment ordinance and if these regulations would be more or less restrictive than current CAMA regulations.

Consent Agenda Approval

COUNCILWOMAN JOSEPH MADE A MOTION TO APPROVE THE FOLLOWING CONSENT AGENDA AS PRESENTED:

1. Departmental Reports:
 - a) Police
 - b) Public Works
 - c) Building Inspections
 - d) Fire
2. Disposition of Directives
 - a) Preliminary Assessment Notice appeared in Brunswick Beacon – 11/16/11
 - b) Preliminary Assessment Notice and Resolution mailed to affected property owners – 11/16/11
 - c) Preliminary Assessment Resolution Public Hearing held – 12/05/11
 - d) BEMC informed to begin underground project – 12/9/11
 - e) Ordinance 50.03, 130.09, 130.12, 130.14, 130.15, Chapter 91 sent to Municode -07/20/12
 - f) Request letter mailed to NC DOT concerning repaving of Main St. – 02/28/12; Received NC DOT acknowledgement letter – 03/05/12
 - g) Letter concerning Terminal Groins mailed – 07/03/12
 - h) Dirt Street Maintenance Cost vs. Paving Dirt Streets Analysis – In process
 - i) Community Meeting - Dates selected, Communities notified, Ad in Beacon 07/11/12
 - j) Park survey completed and mailed – 07/17/12
 - k) Proclamation mailed to David Kessler – Sunset Beach Orchid – 07/20/12
3. Departmental Updates

COUNCILMAN SHERRILL SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Old Business

Feeder Canal Pier Head Alignment Discussion and possible Ordinance Adoption

Gary Parker advised that in May staff received a request for a uniform pier head alignment for the feeder canal off of Jinx Creek which is the man-made canal from Cobia Street eastward to lot 37. The pier head alignment will maintain conformity and eliminate the different offsets that may be required by normal CAMA permitting, meaning that with Town approval of this proposed uniform pier head alignment all piers would go only to the edge of the channel. Without the pier head alignment, piers will have to conform to the least stringent requirement enforced by CAMA. Councilwoman Scott advised that the mouth of the canal is mostly blocked at low tide due to a buildup of sand making it extremely difficult for boaters to navigate and this ordinance could allow a pier to be built that would block boaters from accessing the canal at low tide. Councilwoman Scott feels that the canal needs to be dredged prior to this ordinance being adopted. The Council reached a consensus to refer the Feeder Canal/Pier Head Alignment to the Planning Board for review.

Consideration of Approval of Deed of Dedication of Sandpiper Bay Road

MAYOR PRO-TEM DEVITA MADE A MOTION TO ACCEPT THE SANDPIPER BAY ROADS AS PRESENTED IN THE DEEDS OF DEDICATION. COUNCILMAN WILLIAMS SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Jaguar's Lair Update

Councilwoman Joseph advised that the Town's representatives have met three times with the developer's representatives resulting in the following information being secured and verified by the parties:

- Updated community maps,
- Updated list of property ownership by individuals, banks or Coastal Communities,
- Updated list of work completed in section one (1),
- Updated information concerning the status of the ponds,
- Verification of water and sewer lines installed and which of them have been accepted by Brunswick County,
- Verification that Brunswick County does not require that roads are paved for acceptance of water and sewer deeds and dedication,
- Verification that Brunswick County does not require paved street prior to issuing a building permit,
- Verification that emergency vehicle accessibility is addressed at the time a certificate of occupancy is issued for a structure and since the Town of Sunset Beach would be issuing the certificate of occupancy, the County requirement for accessibility does not apply, but rather the Sunset Beach Fire Chief makes that determination,
- Verification that Coastal Communities will provide all necessary infrastructure to all lots where property owners want to build immediately,
- The initial work calendar for section one (1) was discussed. Survey work for curbing and roads started today and the curbing contractors will begin their work after the grading is completed; curing time for curbing is 28 days. The next phase of work will include back filling, loading of stone and grading. The next phase of work following that process on additional lots is anticipated to begin at the end of October.
- The next meeting is scheduled for September 5th.

Old Business (Cont.)

Sewer Report Update

Councilwoman Scott advised that the completion date of the mainland sewer system is now October or November due to shipment delays for needed parts. Also control boxes that continue to be installed in the wrong locations will have to be relocated to the correct locations; on the plus side homes located in flood plains have the option of installation of a special valve instead of having to run vent piping over the roof line. Councilwoman Scott advised that the next Sewer Meeting is scheduled for August 22, 2012 at 3:00 pm and requested Council to attend.

Annual Report Update

The Council reviewed the final draft and made a few grammatical amendments. Mayor Cerrato voiced confusion with the information on the Town Budget and requested that a power point presentation explaining the budget be prepared. The remaining vacant area will be used for the underground power line project, ordinance changes made to improve safety, update on the bike path/pedestrian walkways, beach patrol, handicapped spaces, County agreement to replace the 2nd island water line and to improve the Sandpiper Bay water pressure, and the 50th Anniversary.

COUNCILWOMAN JOSEPH MADE A MOTION TO APPROVE THE FINAL ANNUAL REPORT DRAFT AS AMENDED, TO FORWARD THE REPORT TO THE PRINTER AND TO MAIL THE REPORT TO ALL SUNSET BEACH PROPERTY OWNERS AS SOON AS POSSIBLE. COUNCILMAN SHERRILL SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Salary Range Adjustments by COLA Discussion

Mayor Pro-Tem DeVita advised that a comparison of the peer municipalities salary ranges was conducted to determine if the Sunset Beach ranges were at least 5% to 10% higher than the peer group ranges. Mayor Pro-Tem DeVita advised that the Town Salary Ranges should be at this threshold because of the secondary duties performed by Sunset Beach staff that is performed by multiple staff members within the peer municipalities. Mayor Pro-Tem DeVita advised that the comparison results show that the Town Salary Ranges should be increased by 2%. Councilwoman Scott and Mayor Cerrato disagreed with the peer municipalities chosen for the salary study, consider the Town salary ranges too high in comparison to municipalities in our geographical area, and do not believe that responsibilities of Town employees justify a rate range 10% over the maximum range of the peer municipalities.

MAYOR PRO-TEM DEVITA MADE A MOTION TO INCREASE THE SALARY RANGES BY 2% DUE TO THE COST OF LIVING ADJUSTMENT (COLA). COUNCILMAN SHERRILL SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE. MAYOR PRO-TEM DEVITA, COUNCILMAN SHERRILL, COUNCILWOMAN JOSEPH AND COUNCILMAN WILLIAMS VOTED YES. COUNCILWOMAN SCOTT VOTED NO. THE MOTION CARRIED BY MAJORITY VOTE.

New Business

Directive for Clerk to Advertise ABC Board Member Position Term Expiring October, 2012

COUNCILWOMAN JOSEPH MADE A MOTION TO DIRECT THE CLERK TO ADVERTISE THE ABC BOARD MEMBER POSITION THAT WILL EXPIRE IN OCTOBER 2012. MAYOR PRO-TEM DEVITA SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

New Business (Cont.)

Consideration of Approval for Contract with Tim Cate

COUNCILWOMAN SCOTT MADE A MOTION TO APPROVE THE CONTRACT WITH TIM CATE TO SERVE AS A MONITOR, ADVISOR AND LIAISON FOR THE TOWN DURING THE NC DOT BRIDGE LANDSCAPING PROJECT. MAYOR PRO-TEM DEVITA SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE. COUNCILMAN WILLIAMS, COUNCILWOMAN JOSEPH, MAYOR PRO-TEM DEVITA AND COUNCILWOMAN SCOTT VOTED YES. COUNCILMAN SHERRILL VOTED NO. THE MOTION CARRIED BY MAJORITY VOTE.

Discussion Concerning Boat Ramp/Fishing Pier Parking

Councilwoman Joseph stated that the issue the Council needs to address is that currently there aren't designated parking spaces for the fishing pier. Councilwoman Joseph advised that the Council has a responsibility to analyze this parking situation as part of a long-range, permanent parking plan for the area from the foot of the bridge to the water. Councilwoman Joseph advised that Ron Holden, Twin Lakes Restaurant Owner, is offering to allocate eight (8) parking spaces, designated by signs (at his expense), for pier parking if the Town will agree to allow the parking spaces in front of the restaurant to remain first-come, first-serve parking. Of the eight (8) spaces, five (5) will be in the Island breeze parking area and three (3) will be in the Old Bridge parking area. Mr. Holden also agrees to change his current additional parking signs (at his expense), located on Canal Avenue and at the Highway 179 entrance of the Island Breeze parking area, to add Pier Parking Available. Mr. Holden has contacted Senator Bill Rabon for assistance with opening the area under the bridge for parking. Gary Parker and Mr. Holden met with Erik Christofferson, Wildlife Resources Commission (WRC), in an effort to gain access to the fenced areas under the bridge. Mr. Christofferson has contacted NC DOT and asked that it either move the fence or remove the fence completely to allow for additional parking. Acceptance of Mr. Holden's offer would be temporary until a full study of parking needs is completed for the affected area.

COUNCILWOMAN JOSEPH MADE A MOTION THAT AS A TEMPORARY SOLUTION TO PROVIDING PARKING FOR THE FISHING PIER THAT THE COUNCIL:

- ACCEPT MR. HOLDEN'S COMPROMISE TO ALLOCATE EIGHT (8) SPECIFIC PIER PARKING SPACES DISTRIBUTED AS FIVE (5) SPACES IN THE ISLAND BREEZE PARKING AREA AND THREE (3) SPACES IN THE OLD BRIDGE PARKING AREA; AND
- ALLOW FIRST-COME, FIRST-SERVED PARKING IN THE RIGHT-OF-WAY IN FRONT OF TWIN LAKES RESTAURANT; AND
- TO APPROACH PARKING IN THIS AREA AS A LONG-RANGE PLAN. AT ITS EARLIEST CONVENIENCE, COUNCIL DESIGNATES A WORK SESSION TO A DISCUSSION OF THE LONG-RANGE PARKING PLAN. THIS SHOULD NOT OCCUR UNTIL COUNCIL KNOWS WHAT PARKING WILL BE INCLUDED IN THE SUNSET BEACH PARK DESIGN. REPRESENTATIVES OF THE SUNSET BEACH PLANNING AND ZONING BOARD SHOULD BE INVITED TO PARTICIPATE. IF POSSIBLE, A DOT REPRESENTATIVE SHOULD BE INVITED TO PROVIDE GUIDANCE AS TO WHAT CAN AND CANNOT BE DONE WITH A PARKING DESIGN FOR SUNSET BOULEVARD FROM THE FOOT OF THE MANNON C. GORE BRIDGE TO THE WATER.
- DIRECT THE TOWN ADMINISTRATOR TO CONTINUE TO WORK WITH WRC TO GAIN ACCESS TO THE FENCED AREAS BENEATH THE MANNON C. GORE BRIDGE.

New Business (Cont.)

Discussion Concerning Boat Ramp/Fishing Pier Parking (Cont.)

COUNCILWOMAN SCOTT SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE. MAYOR PRO-TEM DEVITA, COUNCILWOMAN SCOTT, COUNCILMAN WILLIAMS AND COUNCILWOMAN JOSEPH VOTED YES. COUNCILMAN SHERRILL VOTED NO. THE MOTION CARRIED BY MAJORITY VOTE.

Public Comments

Michael Spinelli 7422 Balmore Drive – Thanked the Council for accepting the Sandpiper Bay Roads.

Richard Hilderman 407 37th Street – Questioned if he is allowed to park in the boat ramp parking when a kayak/canoe is launched from the boat ramp that was transported either in the bed or on racks of a truck that is not pulling a trailer.

Jo O’Keefe 30 Gate 3 Carolina Shores – Advised Council that the boat ramp sign contains parking contradictions. Advised Council that the emergency accesses to the beach strand are nearly impassible and requested Council to construct planked ramps.

Charles Nern 647 Oyster Bay Drive – Disagreed with letter to the editor published in the Brunswick Beacon concerning the July 4th flyer given out by the Police Department.

Len Steiner 613 Kings Trail – Offered to help Mayor Cerrato understand the Town budget. Advised that in a recent extended stay on the island, he did not experience or witness any parking problems.

Adjournment

COUNCILWOMAN JOSEPH MADE A MOTION TO ADJOURN THE AUGUST 6, 2012 COUNCIL MEETING. COUNCILMAN SHERRILL SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Town of Sunset Beach

Richard Cerrato, Mayor

Submitted by:

Lisa Anglin, Town Clerk

*The August 6, 2012 minutes were approved during the September 10, 2012 Regular Meeting.